

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH E. JOHNSON and  
GERALD D. JOHNSON,

CASE NO. C08-00264PVT

[Ordered Related to Case No. 08-01796  
PVT]

Plaintiffs,

[PROPOSED] ORDER GRANTING  
DEFENDANT'S MOTION TO  
DISMISS SECOND AMENDED  
COMPLAINT

FIRST FEDERAL BANK OF  
CALIFORNIA,

Hearing:  
Date : October 7, 2008  
Time: 10:00 a.m.  
Courtroom: 5

Defendant.

Patricia V. Trumbell, Magistrate

PLEASE TAKE NOTICE that on October 7, 2008, at approximately 10:00 a.m. in Courtroom "5" of the above-entitled Court, the Motion to Dismiss Plaintiffs' Second Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted and Lack of Subject Matter Jurisdiction (the "Motion to Dismiss Second Amended Complaint") of Defendant FIRST FEDERAL BANK OF CALIFORNIA ("Defendant") against Plaintiffs GERALD JOHNSON and DEBORAH JOHNSON ("Plaintiffs") came on for hearing.

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GOOD CAUSE APPEARING THEREFORE:

2 IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Second Amended  
3 Complaint is granted and the Second Amended Complaint filed by Plaintiffs hereby  
4 dismissed with prejudice.

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6 | Dated: \_\_\_\_\_

Patricia V. Trumbell, Magistrate

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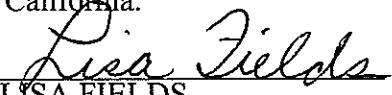
1 PROOF OF SERVICE  
2 STATE OF CALIFORNIA      )  
3 COUNTY OF LOS ANGELES )4      I am employed in the County of Los Angeles, State of California. I am over the  
age of eighteen and not a party to the within action. My business address is Hemar,  
5      Rousso & Heald, , LLP ("the business") 15910 Ventura Blvd., 12<sup>th</sup> Floor, Encino, CA  
91436-2829.  
67      I am readily familiar with the business's practice for collection and processing of  
correspondence for mailing with the United States Postal Service; such correspondence  
would be deposited with the United States Postal Service the same day of deposit in the  
8      ordinary course of business.9      On August 27, 2008, I served the foregoing document described as  
10     **[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO**  
**DISMISS SECOND AMENDED COMPLAINT** on the interested parties in this action  
by placing a true and correct copy thereof in a sealed envelope addressed as follows:11     **DEBORAH E. JOHNSON**  
12     **PO Box 4448**  
13     **Carmel, CA 93921-4448**14     **GERALD D. JOHNSON (Pro Se, Filing Party)**  
15     **PO Box 4448**  
16     **Carmel, CA 93921-4448**17      At my business address, I placed such envelope for deposit with the United  
18      States Postal Service by placing them for collection and mailing on that date following  
19      ordinary business practices.

20      I delivered such envelope(s) by hand to the offices of the addressees.

21      I caused such copies to be facsimiled to the persons set forth.

22      (State) I declare under penalty of perjury under the laws of the State of  
23      California that the foregoing is true and correct.24      XX (Federal) I declare under penalty of perjury under the laws of the United States  
25      of America that I am employed in the office of a member of the bar of this court  
26      at whose direction the service was made.

27      Executed on August 27, 2008, at Encino, California.

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29      LISA FIELDS